

**ORDINANCE NO. 5859**

**AN ORDINANCE TO AMEND THE REQUIREMENTS FOR CONDITIONAL USE PERMITS FOR OVERSIZED GARAGES BY AMENDING SECTION 17.08.030 OF THE RAPID CITY MUNICIPAL CODE IN THE PARK-FOREST DISTRICT**

WHEREAS, the City of Rapid City has adopted municipal ordinance 17.04.315 which concerns private garages; and

WHEREAS that ordinance sets the allowable size for a private garage and provides that a private garage shall not be used for commercial purposes; and

WHEREAS, Rapid City Municipal Code 17.08.030 governs applications for conditional use permits to allow oversized private garages within Park-Forest District areas; and

WHEREAS the Common Council of the City of Rapid City deems it to be in the best interests of the City of Rapid City to amend Ordinance 17.08.030 to remove the requirement that the applicant file a notice with the Register of Deeds limiting the use of the oversized garages to residential purposes only.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 17.08.030 of the Rapid City Municipal Code is hereby amended to read as follows:

The following uses may be permitted on review by the Common Council in accordance with provisions contained in § 17.54.030:

- A. Public parks and/or playgrounds;
- B. Historical monuments or structures;
- C. Utility substations;
- D. Tree or plant nurseries and sod farms, provided that the only building allowed shall be used for storage necessary and incidental to the primary use of the property. No more than 1,000 square feet of storage structure(s) shall be allowed. All outside storage shall be screened with a 6-foot fence or wall;
- E. Cemeteries;
- F. Child care centers;
- G. Cellular communication and radio television station transmission towers, and minor accessory structures, subject to the following; The uses described in this subdivision shall be permitted on the west side of Skyline Drive in the SW1/4 of Section 2, TIN, R7E, BHM, Rapid City, Pennington County, South Dakota;

H. Golf courses or country clubs, with adjacent grounds of not less than 60 acres, but not including miniature courses and driving tees operated for commercial purposes;

I. Recreational facilities leased from the city with on-sale liquor establishment;

J. Private residential garage which does not meet the definition of private garage subject to the following:

1. That the proposed garage is consistent with the residential character of the property on which it is located and with the surrounding neighborhood;

2. That the proposed garage shall be used only for residential purposes incidental to the principal use of the property;

3. That landscaping or fencing may be required to screen the garage from neighboring properties; and

4. That the applicant submits a site plan and elevation drawings in addition to information on what types of building material will be used for the garage; ~~and~~

~~5. That the applicant shall file a notice with the register of deeds indicating that the garage only be used for residential purposes.~~

K. Churches or similar places of worship, with accessory structures, but not including missions or revival tents.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: